

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.15823 of 2006

9th August 2006

Between:

K.Vidyasagar, S/o.Shivappa, 50 years, Drug Inspector,
O/o.Commissioner, Ayurveda, Department of Ayush, Hyderabad.

...PETITIONER

AND

1. The Government of A.P., rep.by its Secretary, H.M & F.W.
Department, Secretariat, Hyderabad – 500 022.

And three others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.15823 of 2006

ORDER: (Per the Hon'ble Mr Justice Ramesh Ranganathan)

While Sri A.K.Jayaprakash Rao, learned counsel for the petitioner, initially sought to assail the order of the Andhra Pradesh Administrative Tribunal, Hyderabad ('the Tribunal' for brevity) on merits and contended that the impugned memo dated 13.06.2006, whereby the earlier orders of transfer dated 22.04.2006 were cancelled is illegal on the ground that G.O.Ms.71 Finance (W&M) Department dated 01.04.2006 has been violated, he would now submit that the petitioner instead be permitted to submit a representation to the second respondent regarding his transfer vide proceedings dated 13.06.2006 and that it would suffice if directions are issued to the Government to consider the representation in accordance with law and pass appropriate orders thereupon within one week from today.

It is well settled that transfers made on administrative exigencies, are not, normally, subjected to interference by Courts or Tribunals. Any grievance, which the Government Servant may have with regards his

transfer, has to be ventilated by submitting a representation to the competent authority, in which event, the authority concerned is bound to consider the same and pass appropriate orders thereupon in accordance with law.

The Writ Petition is disposed of leaving it open to the petitioner herein to submit a detailed representation to the second respondent, who shall consider the same and pass appropriate orders thereupon in accordance with law within four weeks from the date of receipt of such representation. No costs.

(B.PRAKASH RAO, J)

(RAMESH RANGANATHAN, J)

9th August 2006
RRB